

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION

BILL MULLEN and MICHELLE )  
MULLEN, )  
Plaintiffs, ) No. 12 cv 2084 EJM  
vs. )  
HEINKEL FILTERING SYSTEMS, )  
INC. and PEPPERL & FUCHS, INC., )  
Defendants. ) ORDER

This matter is before the court on plaintiffs' resisted Motion to Dismiss without prejudice, filed September 5, 2013. Motion granted.

This case involves an industrial accident suffered by plaintiff Bill Mullen while working on a Heinkel inverted centrifuge at his place of employment at the Cambrex plant in Charles City, Iowa, on December 3, 2011. The case became entangled in discovery and procedural disputes.

Fed.R.Civ.P 41(a)(2) provides that "an action may be dismissed at the plaintiff's request ... on terms that the court considers proper." This court considers it proper that under these circumstances the plaintiffs' motion to dismiss without prejudice shall be granted.

It is therefore

ORDERED

Granted. Case dismissed without prejudice. Each party shall pay its costs.

November 8, 2013.

  
Edward J. McManus, Judge  
UNITED STATES DISTRICT COURT